

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
Civ. No. 2:19-CV-00024-FL

MICHAEL BROOKS,  
)  
)  
Plaintiff,  
)  
)  
v.  
)  
KILOLO KIJAKAZI,  
)  
Acting Commissioner of Social  
)  
Security,  
)  
Defendant.  
)

## ORDER

Plaintiff's counsel filed a motion for attorney's fees under 42 U.S.C. § 406(b) and in the amount of \$4,531.75.

Defendant filed a reply to the motion noting that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel is awarded fees under 42 U.S.C. § 406(b) in the amount of \$4,531.75, and, if applicable, ordered to refund to Plaintiff the smaller award between this amount and the amount counsel previously received under the EAJA.

So ordered, this 28th day of November, 2022.

Louise W. Flanagan  
LOUISE W. FLANAGAN  
United States District Judge